Amendments to the Claims

Claim 1 (Currently amended): Hybrid maize seed designated X1139Y, representative seed of said hybrid X1139Y having been deposited under ATCC ~~accession~~ Accession number _____.

Claim 2 (Currently amended): A maize plant, or its parts, produced by growing the seed of claim 1.

Claim 3 (Original): Pollen of the plant of claim 2.

Claim 4 (Original): An ovule of the plant of claim 2.

Claims 5-8 (Canceled)
Claim 20 (Canceled)
Claims 42-63 (Canceled)

Claim 64 (New): A tissue culture of regenerable cells produced from the plant of claim 2.

Claim 65 (New): Protoplasts produced from the tissue culture of claim 64.

Claim 66 (New): The tissue culture produced from the plant of claim 2, wherein cells of the tissue culture are from a tissue selected from the group consisting of leaf, pollen, embryo, root, root tip, anther, silk, flower, kernel, ear, cob, husk and stalk.

Claim 67 (New): A maize plant regenerated from the tissue culture of claim 64, said plant having all the morphological and physiological characteristics of hybrid maize plant X1139Y, representative seed of said plant having been deposited under ATCC Accession No. _____.

Claim 68 (New): A method for producing an F1 hybrid maize seed, comprising crossing the plant of claim 2 with a different maize plant and harvesting the resultant F1 hybrid maize seed.

Received from < 5152881338 > at 9/2/03 5:25:47 PM [Eastern Daylight Time]

Claim 69 (New): A method of producing a male sterile hybrid maize plant comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a nucleic acid molecule that confers male sterility and crossing said inbred maize parent plants to produce said male sterile hybrid maize plant.

Claim 70 (New): A male sterile maize hybrid plant produced by the method of claim 69.

Claim 71 (New): A method of producing an herbicide resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers herbicide resistance to generate an herbicide resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said herbicide resistant hybrid maize plant.

Claim 72 (New): An herbicide resistant hybrid maize plant produced by the method of claim 71.

Claim 73 (New): The herbicide resistant hybrid maize plant of claim 72, wherein the transgene confers resistance to an herbicide selected from the group consisting of: imidazolinone, sulfonylurea, glyphosate, glufosinate, L-phosphinothricin, triazine and benzonitrile.

Claim 74 (New): A method of producing an insect resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers insect resistance to generate an insect resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said insect resistant hybrid maize plant.

Claim 75 (New): An insect resistant maize plant produced by the method of claim 74.

Received from < 5152881338 > at 9/2/03 5:25:47 PM [Eastern Daylight Time]

Claim 76 (New): The insect resistant maize plant of claim 75, wherein the transgene comprises a transgene encoding a *Bacillus thuringiensis* endotoxin.

Claim 77 (New): A method of producing a disease resistant hybrid maize plant comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a transgene that confers disease resistance to generate a disease resistant inbred maize parent plant and crossing said inbred maize parent plants to produce said disease resistant hybrid maize plant.

Claim 78 (New): A disease resistant hybrid maize plant produced by the method of claim 77.

Claim 79 (New): A method of producing a hybrid maize plant with decreased phytate content comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a transgene encoding phytase to generate an inbred maize parent plant with decreased phytate content and crossing said inbred maize parent plants to produce said hybrid maize plant that confers decreased phytate content.

Claim 80 (New): A hybrid maize plant with decreased phytate content produced by the method of claim 79.

Claim 81 (New): A method of producing a hybrid maize plant with modified fatty acid metabolism or modified carbohydrate metabolism comprising transforming at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with a transgene encoding a protein selected from the group consisting of stearyl-ACP desaturase, fructosyltransferase, levansucrase, alpha-amylase, invertase and starch branching enzyme to generate an inbred maize parent plant with modified fatty acid metabolism or modified carbohydrate metabolism and crossing said inbred

Received from < 5152881338 > at 9/2/03 5:25:47 PM [Eastern Daylight Time]

maize parent plants to produce said hybrid maize plant that confers modified fatty acid metabolism or modified carbohydrate metabolism.

Claim 82 (New): A hybrid maize plant produced by the method of claim 81.

Claim 83 (New): The hybrid maize plant of claim 82 wherein the transgene confers a trait selected from the group consisting of waxy starch and increased amylose starch.

Claim 84 (New): A maize plant, or part thereof, having all the physiological and morphological characteristics of the hybrid maize plant X1139Y, representative seed of said plant having been deposited under ATCC Accession No. _____.

Claim 85 (New): A method of introducing a desired trait into a hybrid maize line X1139Y comprising:

(a) crossing at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with another maize line that comprises a desired trait, to produce F1 progeny plants, wherein the desired trait is selected from the group consisting of male sterility, herbicide resistance, insect resistance, disease resistance and waxy starch;

(b) selecting said F1 progeny plants that have the desired trait to produce selected F1 progeny plants;

(c) backcrossing the selected progeny plants with said inbred maize parent plant to produce backcross progeny plants;

(d) selecting for backcross progeny plants that have the desired trait and morphological and physiological characteristics of said inbred maize parent plant;

(e) repeating the steps of backcrossing to said inbred maize parent plant three or more times in succession to produce selected fourth or higher backcross progeny plants;

(f) crossing said backcross progeny plant with the other inbred maize parent plant to generate a hybrid maize line X1139Y with the desired trait and all of the morphological and

Received from <5152881338> at 9/2/03 5:25:47 PM [Eastern Daylight Time]

physiological characteristics of hybrid maize line X1139Y listed in Table 1 as determined at a 5% significance level when grown in the same environmental conditions.

Claim 86 (New): A plant produced by the method of claim 85, wherein the plant has the desired trait and all of the physiological and morphological characteristics of hybrid maize line X1139Y listed in Table 1 as determined at a 5% significance level when grown in the same environmental conditions.

Claim 87 (New): The plant of claim 86 wherein the desired trait is herbicide resistance and the resistance is conferred to an herbicide selected from the group consisting of: imidazolinone, sulfonylurea, glyphosate, glufosinate, L-phosphinothricin, triazine and benzonitrile.

Claim 88 (New): The plant of claim 86 wherein the desired trait is insect resistance and the insect resistance is conferred by a transgene encoding a *Bacillus thuringiensis* endotoxin.

Claim 89 (New): The plant of claim 86 wherein the desired trait is male sterility and the trait is conferred by a cytoplasmic nucleic acid molecule that confers male sterility.

Claim 90 (New): A method of introducing modified fatty acid metabolism, modified phytic acid metabolism or modified carbohydrate metabolism into a hybrid maize line X1139Y comprising:

(a) crossing at least one of inbred maize parent plants GE565937 and GE502199, representative samples of which have been deposited as _____ and _____ respectively, with another maize line that comprises a desired trait, to produce F1 progeny plants, wherein the desired trait is selected from the group consisting of phytase, stearyl-ACP desaturase, fructosyltransferase, levansucrase, alpha-amylase, invertase and starch branching enzyme;

(b) selecting said F1 progeny plants that have the desired trait to produce selected F1 progeny plants;

(c) backcrossing the selected progeny plants with said inbred maize parent plant to produce backcross progeny plants;

Received from < 5152881338 > at 9/2/03 5:25:47 PM [Eastern Daylight Time]

(d) selecting for backcross progeny plants that have the desired trait and morphological and physiological characteristics of said inbred maize parent plant;

(e) repeating the steps of backcrossing to said inbred maize parent plant three or more times in succession to produce selected fourth or higher backcross progeny plants;

(f) crossing said backcross progeny plant with the other inbred maize parent plant to generate a hybrid maize line X1139Y with the desired trait and all of the morphological and physiological characteristics of hybrid maize line X1139Y listed in Table 1 as determined at a 5% significance level when grown in the same environmental conditions.

Claim 91 (New): A plant produced by the method of claim 90, wherein the plant has modified fatty acid metabolism, modified phytic acid metabolism or modified carbohydrate metabolism and all of the physiological and morphological characteristics of hybrid maize line X1139Y listed in Table 1 as determined at a 5% significance level when grown in the same environmental conditions.

Received from < 5152881338 > at 9/2/03 5:25:47 PM [Eastern Daylight Time]